

1 Michael I. Neil, SBN 40057
Stephen T. Sigler, SBN 183860
2 N. Nedim Halicioglu, SBN 245115
NEIL, DYMOTT, FRANK,
3 MCFALL & TREXLER
A Professional Law Corporation
4 1010 Second Avenue, Suite 2500
San Diego, CA 92101-4959
5 P 619.238.1712
F 619.238.1562

6 Attorneys for Defendant
7 MAJID MANI, M.D.

FILED

2008 AUG 26 PM 4:15

CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY VMA DEPUTY

8
9 UNITED STATES DISTRICT COURT
10 SOUTHERN DISTRICT OF CALIFORNIA

11 RICARDO LOPEZ,
CDCR #V-49533,

12 Plaintiff,

13 vs.

14 C. COOK, Medical Appeals Analyst;
15 R.H. MEISEL, Clinical Optometrist;
N. BARRERAS, Chief Medical Officer;
16 MAJID MANI, Ophthalmologist,

17 Defendants.

Civil No. 08-0438 H (LSP)

DEFENDANT MAJID MANI, M.D.'S
NOTICE OF MOTION AND MOTION
TO DISMISS [FRCP 12(b)(6)]

DATE: October 3, 2008
TIME: 8:30 a.m.
COURTOOM: G
HON. LEO S. PAPPAS

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20 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORDS:

21 PLEASE TAKE NOTICE THAT on October 3, 2008 at 8:30 a.m. Defendant MAJID MANI,
22 M.D. ("DR. MANI"), by an through his attorneys of record, will move this Court to dismiss
23 Plaintiff's First Amended Complaint filed June 13, 2008 as against DR. MANI.

24 Said motion will be based on the grounds that Plaintiff fails to allege facts sufficient to
25 constitute a cause of action against DR. MANI.

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1 Said Motion will be based up this Notice, the accompanying Memorandum of Points and
2 Authorities and any other matter subject to judicial notice.

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4 Dated: August 26, 2008

NEIL, DYMOTT, FRANK,
MCFALL & TREXLER
A Professional Law Corporation

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7 By: 

Michael I. Neil
Stephen T. Sigler
N. Nedim Halicioglu
Attorneys for Defendant
MAJID MANI, M.D.

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